

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**CRAIG RUSH,**

**Plaintiff,**

**VS.**

**JACOBS ENGINEERING GROUP INC.  
AND SAMUEL PENA, INDIVIDUALLY,**

**Defendants.**

§  
§  
§  
§  
§  
§  
§  
§  
§  
§

**CIVIL ACTION NO. 3:14-cv-3723**

**INDEX OF DOCUMENTS FILED IN STATE COURT**

| <b>No.</b> | <b>Document</b>   | <b>Date Filed/Served</b> |
|------------|---|--------------------------|
| 1          | Court's Register of Actions   | n/a                      |
| 2          | Plaintiff's Original Petition and Request for Disclosure  | September 15, 2014       |
| 3          | Civil Case Information Sheet  | September 15, 2014       |
| 4          | Correspondence – request for issuance of citation   | September 15, 2014       |
| 5          | Citation directed to Jacobs Engineering Group, Inc. by serving its Registered Agent CT Corporation System | September 19, 2014       |
| 6          | Citation directed to Samuel Pena  | September 19, 2014       |
| 7          | Officer's return of service on Jacobs Engineering Group, Inc. citation                                    | September 24, 2014       |
| 8          | Officer's return of service on Samuel Pena citation   | October 6, 2014          |

Respectfully submitted,

/s/ John B. Brown

John B. Brown

Texas Bar No. 00793412

[john.brown@ogletreedeakins.com](mailto:john.brown@ogletreedeakins.com)

Heidi H. Harrison

Texas Bar No. 24074370

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**OGLETREE, DEAKINS, NASH, SMOAK & STEWART, P.C.**

Preston Commons, Suite 500

8117 Preston Road

Dallas, Texas 75225

(214) 987-3800 (Telephone)

(214) 987-3927 (Facsimile)

**ATTORNEYS FOR DEFENDANTS  
JACOBS ENGINEERING INC.  
AND SAMUEL PENA**

**CERTIFICATE OF SERVICE**

This is to certify that on October 17, 2014, I electronically transmitted the foregoing document to the Clerk of Court using the ECF system of filing, which will transmit a Notice of Electronic Filing to Plaintiffs' counsel of record, an ECF registrant:

/s/ John B. Brown

John B. Brown

19221765.1

# Tab 1

**REGISTER OF ACTIONS****CASE No. DC-14-10855****CRAIG RUSH vs. JACOBS ENGINEERING GROUP INC et al**§  
§  
§  
§  
§Case Type: **EMPLOYMENT**Date Filed: **09/15/2014**Location: **160th District Court****PARTY INFORMATION****DEFENDANT JACOBS ENGINEERING GROUP INC****Lead Attorneys****DEFENDANT PENA, SAMUEL****PLAINTIFF RUSH, CRAIG****JASON C N SMITH***Retained*

817-334-0880(W)

**EVENTS & ORDERS OF THE COURT**

|                                  |                                       |          |            |
|----------------------------------|---------------------------------------|----------|------------|
| <b>OTHER EVENTS AND HEARINGS</b> |                                       |          |            |
| 09/15/2014                       | <b>NEW CASE FILED (OCA) - CIVIL</b>   |          |            |
| 09/15/2014                       | <b>ORIGINAL PETITION</b>              |          |            |
| 09/15/2014                       | <b>ISSUE CITATION</b>                 |          |            |
| 09/19/2014                       | <b>CITATION</b>                       |          |            |
|                                  | JACOBS ENGINEERING GROUP INC          | Served   | 09/23/2014 |
|                                  |                                       | Returned | 09/24/2014 |
|                                  | PENA, SAMUEL                          | Served   | 10/01/2014 |
|                                  |                                       | Returned | 10/06/2014 |
| 09/19/2014                       | <b>CITATION ISSUED</b>                |          |            |
|                                  | CERT 9214 8901 0661 5400 0040 1300 53 |          |            |
| 09/19/2014                       | <b>CITATION ISSUED</b>                |          |            |
|                                  | ESERVE 2551875                        |          |            |
| 10/06/2014                       | <b>RETURN OF SERVICE</b>              |          |            |
|                                  | EXECUTED CITATION                     |          |            |

**FINANCIAL INFORMATION**

|                              |   |             |
|------------------------------|---|-------------|
| <b>PLAINTIFF RUSH, CRAIG</b> |   |             |
|                              | Total Financial Assessment                                  | 363.00      |
|                              | Total Payments and Credits                                  | 363.00      |
|                              | <b>Balance Due as of 10/16/2014</b>                         | <b>0.00</b> |
| 09/16/2014                   | Transaction Assessment                                      | 363.00      |
| 09/16/2014                   | CREDIT CARD - TEXFILE Receipt # 54246-2014-DCLK RUSH, CRAIG | (363.00)    |
|                              | (DC)  |             |

## **Tab 2**

Hernandez Angelic

DC-14-10855  
NO. \_\_\_\_\_

|                                |   |                         |
|--------------------------------|---|-------------------------|
| CRAIG RUSH                     | § | IN THE DISTRICT COURT   |
| Plaintiff,                     | § |                         |
|                                | § |                         |
| VS.                            | § | OF DALLAS COUNTY, TEXAS |
|                                | § |                         |
| JACOBS ENGINEERING GROUP, INC. | § |                         |
| AND SAMUEL PENA, INDIVIDUALLY, | § |                         |
| Defendants.                    | § | ___ JUDICIAL DISTRICT   |

**PLAINTIFF'S ORIGINAL PETITION AND REQUEST FOR DISCLOSURE**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, CRAIG RUSH, Plaintiff, complaining of Defendant JACOBS ENGINEERING GROUP, INC. and SAMUEL PENA, Individually, and files this his Plaintiff's Original Petition and Request for Disclosure, and for cause of action would respectfully show the Court as follows:

**1.**

Pursuant to Texas Rules of Civil Procedure, Rule 190, this case will be designated as a Level II.

**2.**

Plaintiff is an individual residing in Tarrant County, Texas.

**3.**

Defendant Jacobs Engineering Group, Inc., (hereinafter referred to as "Jacobs Engineering") is a Delaware company registered to do business in Texas and may be served with process by serving its registered agent CT Corporation System, 1999 Bryan Street, Suite 900, Dallas, Texas 75201-3136.

Defendant Samuel Pena, is an individual who may be served at his place of residence, 1107 Danbury Drive, Mansfield, Texas 76063.

Suit is brought against these entities pursuant to Rule 28 of the Texas Rules of Civil Procedure.

4.

Venue is proper in Dallas County pursuant to section 15.002 of the Texas Civil Practice and Remedies Code because a principal office for Defendant Jacobs Engineering in the State of Texas is in Dallas County and because all or a substantial portion of the facts giving rise to Plaintiff's cause of action occurred in Dallas County, Texas.

5.

For over 13 years, Plaintiff Craig Rush worked for Defendant Jacobs Engineering and its successors, rising to the position of Principal Program Manager for Defendant Jacobs Engineering.

In August 13, 2013 Plaintiff received an email instructing him to move labor time from one customer to another, thus, defrauding the clients.

Defendant Samuel Pena, manager of the project demanded Plaintiff sign the work and falsely indicate that the work was done for one client and not another. If Plaintiff did so, such conduct would constitute committing crimes, including theft, fraud, deceptive business practices, mail fraud, wire fraud and conspiracy.

Plaintiff refused to commit crimes and refused to sign for the work.

Defendant Pena became angry with Plaintiff for refusing to do so. After Plaintiff refused to commit crimes in billing Defendant Jacobs Engineering customers, Defendant Pena refused to provide work for Plaintiff. Furthermore, within 30 days of Plaintiff's refusal to commit a crime, Defendant Pena reassigned 5 projects from Plaintiff.

Within 30 days of Plaintiff refusing to commit crimes, Defendant Pena also gave Plaintiff an evaluation that did not accurately reflect Plaintiff's work performance and which was significantly lower than previous performance reviews.

Defendant Jacobs Engineering terminated Plaintiff's employment. By letter dated May 27, 2014, Defendant Jacobs Engineering placed Plaintiff on convenience leave with an anticipated return to work date September 1, 2014. Defendant Jacobs Engineering then refused to bring Plaintiff back to work.

Defendant Pena's actions were contrary to the interests, code of conduct and policies of Defendant Jacobs Engineering and constitute the crimes of retaliation, theft, fraud, deceptive business practices, mail fraud, wire fraud and conspiracy.

6.

Defendant Jacobs Engineering terminated Plaintiff Rush for refusing to perform an illegal act.

7.

Defendant Jacobs Engineering reduced Plaintiff's hours for refusing to perform an illegal act.

8.

Defendant Jacobs Engineering's wrongful acts have proximately caused injury to Plaintiff Rush. Plaintiff Rush has suffered lost wages, loss of earning capacity, lost benefits, mental anguish, inconvenience and loss of enjoyment of life as a result of Defendant Jacobs Engineering's actions against him. Plaintiff Rush has suffered these injuries in the past and in all reasonable probability will continue to suffer these injuries in the future. Plaintiff Rush also seeks punitive damages.



9.

Defendant Pena tortuously interfered with the contract between Plaintiff and Defendant Jacobs Engineering.

10.

Defendant Pena engaged in a conspiracy against Plaintiff to accomplish and unlawful purpose.

11.

Defendant Pena retaliated against Plaintiff in violation of § 36.06 of the Texas Penal Code, for which Defendant Jacobs Engineering is vicariously liable.

12.

Defendant Pena's wrongful acts have proximately caused injury to Plaintiff Rush. Plaintiff Rush has suffered lost wages, loss of earning capacity, lost benefits, mental anguish, inconvenience and loss of enjoyment of life as a result of Defendant Pena's actions against him. Plaintiff Rush has suffered these injuries in the past and in all reasonable probability will continue to suffer these injuries in the future. Plaintiff Rush also seeks punitive damages.

13.

Pursuant to Tex. R. Civ. P. 47, Plaintiff Rush seeks only monetary relief over \$1,000,000 or whatever the finder of fact determines to be fair.

14.

#### **REQUEST FOR DISCLOSURE**

Under the authority of Texas Rules of Civil Procedure 194, Plaintiff Rush requests that Defendants disclose within fifty (50) days of service of this request, the information or material described in Rules 194.2 and 194.3 and 194.5.

15.

**NOTICE OF INTENT TO USE DOCUMENTS**

Pursuant to Tex. R. Civ. P. 193.7, Plaintiff Rush, by and through the undersigned attorney, notifies Defendants of Plaintiff Rush's intention to use, any pretrial proceeding or at trial, any documents produced by Defendants in response to Plaintiff Rush's written discovery.

16.

**CIVIL PRACTICES AND REMEDIES CODE § 30.014**

Pursuant to the Civil Practices and Remedies Code § 30.014, the last three digits of Plaintiff Rush's driver's license number are #267.

WHEREFORE, PREMISES CONSIDERED, Plaintiff Rush prays that the Defendants be cited to appear and answer herein; and that upon final trial of this cause, Plaintiff Rush be awarded his damages, together with pre-judgment and post-judgment interests at the highest legal rate; cost of court; and for such other and further relief at law or in equity to which the Plaintiff Rush may show himself justly entitled.

Respectfully submitted,

/s/ JASON C.N. SMITH  
JASON C.N. SMITH  
State Bar No. 00784999

LAW OFFICES OF JASON SMITH  
600 Eighth Avenue  
Fort Worth, Texas 76104  
(817) 334-0880, telephone  
(817) 334-0898, facsimile  
Email: jasons@letsgotocourt.com

ATTORNEYS FOR PLAINTIFF

**Tab 3**

DC-14-10855

CAUSE NUMBER (FOR CLERK USE ONLY):

COURT (FOR CLERK USE ONLY):

STYLED Craig Rush v. Jacobs Engineering Group, Inc. and Samuel Pena

(e.g., John Smith v. All American Insurance Co; In re Mary Ann Jones; In the Matter of the Estate of George Jackson)

A civil case information sheet must be completed and submitted when an original petition or application is filed to initiate a new civil, family law, probate, or mental health case or when a post-judgment petition for modification or motion for enforcement is filed in a family law case. The information should be the best available at the time of filing.

|  |   |  |   |   |   |   |  |   |  |  |
|--|---|--|---|---|---|---|--|---|--|--|
| <b>1. Contact information for person completing case information sheet:</b><br>Name: <u>Jason C.N. Smith</u> Email: <u>jasons@letsgettocourt.com</u><br>Address: <u>600 8<sup>th</sup> Avenue</u> Telephone: <u>817-334-0880</u><br>City/State/Zip: <u>Fort Worth, Texas 76104</u> Fax: <u>817-334-0898</u><br>Signature: <u>[Signature]</u> State Bar No: <u>00784999</u>   |   | <b>Names of parties in case:</b><br>Plaintiff(s)/Petitioner(s): <u>Craig Rush</u><br>Defendant(s)/Respondent(s): <u>Jacobs Engineering Group, Inc.</u><br><u>Samuel Pena</u><br>[Attach additional page as necessary to list all parties]  | <b>Person or entity completing sheet is:</b><br><input checked="" type="checkbox"/> Attorney for Plaintiff/Petitioner<br><input type="checkbox"/> Pro Se Plaintiff/Petitioner<br><input type="checkbox"/> Title IV-D Agency<br><input type="checkbox"/> Other: _____<br><b>Additional Parties in Child Support Case:</b><br>Custodial Parent: _____<br>Non-Custodial Parent: _____<br>Presumed Father: _____  |   |   |   |  |   |  |  |
| <b>2. Indicate case type, or identify the most important issue in the case (select only 1):</b>  |   |  |   |   |   |   |  |   |  |  |
| <b>Civil</b><br><table border="1"> <tr> <td> <b>Contract</b><br/> <input type="checkbox"/> Debt/Contract<br/> <input type="checkbox"/> Consumer/DTPA<br/> <input type="checkbox"/> Debt/Contract<br/> <input type="checkbox"/> Fraud/Misrepresentation<br/> <input type="checkbox"/> Other Debt/Contract: _____<br/> <b>Foreclosure</b><br/> <input type="checkbox"/> Home Equity—Expedited<br/> <input type="checkbox"/> Other Foreclosure<br/> <input type="checkbox"/> Franchise<br/> <input type="checkbox"/> Insurance<br/> <input type="checkbox"/> Landlord/Tenant<br/> <input type="checkbox"/> Non-Competition<br/> <input type="checkbox"/> Partnership<br/> <input type="checkbox"/> Other Contract: _____         </td> <td> <b>Injury or Damage</b><br/> <input type="checkbox"/> Assault/Battery<br/> <input type="checkbox"/> Construction<br/> <input type="checkbox"/> Defamation<br/> <b>Malpractice</b><br/> <input type="checkbox"/> Accounting<br/> <input type="checkbox"/> Legal<br/> <input type="checkbox"/> Medical<br/> <input type="checkbox"/> Other Professional Liability:<br/> <input type="checkbox"/> Motor Vehicle Accident<br/> <input type="checkbox"/> Premises<br/> <b>Product Liability</b><br/> <input type="checkbox"/> Asbestos/Silica<br/> <input type="checkbox"/> Other Product Liability<br/>           List Product: _____<br/> <input type="checkbox"/> Other Injury or Damage: _____         </td> <td> <b>Real Property</b><br/> <input type="checkbox"/> Eminent Domain/Condemnation<br/> <input type="checkbox"/> Partition<br/> <input type="checkbox"/> Quiet Title<br/> <input type="checkbox"/> Trespass to Try Title<br/> <input type="checkbox"/> Other Property: _____<br/> <b>Related to Criminal Matters</b><br/> <input type="checkbox"/> Expunction<br/> <input type="checkbox"/> Judgment Nisi<br/> <input type="checkbox"/> Non-Disclosure<br/> <input type="checkbox"/> Seizure/Forfeiture<br/> <input type="checkbox"/> Writ of Habeas Corpus—Pre-indictment<br/> <input type="checkbox"/> Other: _____    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Annulment<br/> <input type="checkbox"/> Declare Marriage Void<br/> <b>Divorce</b><br/> <input type="checkbox"/> With Children<br/> <input type="checkbox"/> No Children         </td> <td> <b>Post-judgment Actions (non-Title IV-D)</b><br/> <input type="checkbox"/> Enforcement<br/> <input type="checkbox"/> Modification—Custody<br/> <input type="checkbox"/> Modification—Other<br/> <b>Title IV-D</b><br/> <input type="checkbox"/> Enforcement/Modification<br/> <input type="checkbox"/> Paternity<br/> <input type="checkbox"/> Reciprocity (UIFSA)<br/> <input type="checkbox"/> Support Order         </td> </tr> <tr> <td> <b>Other Family Law</b><br/> <input type="checkbox"/> Enforce Foreign Judgment<br/> <input type="checkbox"/> Habeas Corpus<br/> <input type="checkbox"/> Name Change<br/> <input type="checkbox"/> Protective Order<br/> <input type="checkbox"/> Removal of Disabilities of Minority<br/> <input type="checkbox"/> Other: _____         </td> <td> <b>Parent-Child Relationship</b><br/> <input type="checkbox"/> Adoption/Adoption with Termination<br/> <input type="checkbox"/> Child Protection<br/> <input type="checkbox"/> Child Support<br/> <input type="checkbox"/> Custody or Visitation<br/> <input type="checkbox"/> Gestational Parenting<br/> <input type="checkbox"/> Grandparent Access<br/> <input type="checkbox"/> Parentage/Paternity<br/> <input type="checkbox"/> Termination of Parental Rights<br/> <input type="checkbox"/> Other Parent-Child: _____         </td> </tr> </table> |   | <b>Marriage Relationship</b><br><input type="checkbox"/> Annulment<br><input type="checkbox"/> Declare Marriage Void<br><b>Divorce</b><br><input type="checkbox"/> With Children<br><input type="checkbox"/> No Children | <b>Post-judgment Actions (non-Title IV-D)</b><br><input type="checkbox"/> Enforcement<br><input type="checkbox"/> Modification—Custody<br><input type="checkbox"/> Modification—Other<br><b>Title IV-D</b><br><input type="checkbox"/> Enforcement/Modification<br><input 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| <b>Employment</b><br><input type="checkbox"/> Discrimination<br><input type="checkbox"/> Retaliation<br><input checked="" type="checkbox"/> Termination<br><input type="checkbox"/> Workers' Compensation<br><input type="checkbox"/> Other Employment: _____  |   | <b>Other Civil</b><br><table border="1"> <tr> <td> <input type="checkbox"/> Administrative Appeal<br/> <input type="checkbox"/> Antitrust/Unfair Competition<br/> <input type="checkbox"/> Code Violations<br/> <input type="checkbox"/> Foreign Judgment<br/> <input type="checkbox"/> Intellectual Property         </td> <td> <input type="checkbox"/> Lawyer Discipline<br/> <input type="checkbox"/> Perpetuate Testimony<br/> <input type="checkbox"/> Securities/Stock<br/> <input type="checkbox"/> Tortious Interference<br/> <input type="checkbox"/> Other: _____         </td> </tr> </table>                                    |   | <input type="checkbox"/> Administrative Appeal<br><input type="checkbox"/> Antitrust/Unfair Competition<br><input type="checkbox"/> Code Violations<br><input type="checkbox"/> Foreign Judgment<br><input type="checkbox"/> Intellectual Property  | <input type="checkbox"/> Lawyer Discipline<br><input type="checkbox"/> Perpetuate Testimony<br><input type="checkbox"/> Securities/Stock<br><input type="checkbox"/> Tortious Interference<br><input type="checkbox"/> Other: _____   |   |  |   |  |  |
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| <b>Tax</b><br><input type="checkbox"/> Tax Appraisal<br><input type="checkbox"/> Tax Delinquency<br><input type="checkbox"/> Other Tax: _____  |   | <b>Probate &amp; Mental Health</b><br><table border="1"> <tr> <td> <b>Probate/Wills/Intestate Administration</b><br/> <input type="checkbox"/> Dependent Administration<br/> <input type="checkbox"/> Independent Administration<br/> <input type="checkbox"/> Other Estate Proceedings         </td> <td> <input type="checkbox"/> Guardianship—Adult<br/> <input type="checkbox"/> Guardianship—Minor<br/> <input type="checkbox"/> Mental Health<br/> <input type="checkbox"/> Other: _____         </td> </tr> </table>  |   | <b>Probate/Wills/Intestate Administration</b><br><input type="checkbox"/> Dependent Administration<br><input type="checkbox"/> Independent Administration<br><input type="checkbox"/> Other Estate Proceedings  | <input type="checkbox"/> Guardianship—Adult<br><input type="checkbox"/> Guardianship—Minor<br><input type="checkbox"/> Mental Health<br><input type="checkbox"/> Other: _____   |   |  |   |  |  |
| <b>Probate/Wills/Intestate Administration</b><br><input type="checkbox"/> Dependent Administration<br><input type="checkbox"/> Independent Administration<br><input type="checkbox"/> Other Estate Proceedings   | <input type="checkbox"/> Guardianship—Adult<br><input type="checkbox"/> Guardianship—Minor<br><input type="checkbox"/> Mental Health<br><input type="checkbox"/> Other: _____   |  |   |   |   |   |  |   |  |  |
| <b>3. Indicate procedure or remedy, if applicable (may select more than 1):</b>  |   |  |   |   |   |   |  |   |  |  |
| <table border="1"> <tr> <td> <input type="checkbox"/> Appeal from Municipal or Justice Court<br/> <input type="checkbox"/> Arbitration-related<br/> <input type="checkbox"/> Attachment<br/> <input type="checkbox"/> Bill of Review<br/> <input type="checkbox"/> Certiorari<br/> <input type="checkbox"/> Class Action         </td> <td> <input type="checkbox"/> Declaratory Judgment<br/> <input type="checkbox"/> Garnishment<br/> <input type="checkbox"/> Interpleader<br/> <input type="checkbox"/> License<br/> <input type="checkbox"/> Mandamus<br/> <input type="checkbox"/> Post-judgment         </td> <td> <input type="checkbox"/> Prejudgment Remedy<br/> <input type="checkbox"/> Protective Order<br/> <input type="checkbox"/> Receiver<br/> <input type="checkbox"/> Sequestration<br/> <input type="checkbox"/> Temporary Restraining Order/Injunction<br/> <input type="checkbox"/> Turnover         </td> </tr> </table>  |   |  |   | <input type="checkbox"/> Appeal from Municipal or Justice Court<br><input type="checkbox"/> Arbitration-related<br><input type="checkbox"/> Attachment<br><input type="checkbox"/> Bill of Review<br><input type="checkbox"/> Certiorari<br><input type="checkbox"/> Class Action   | <input type="checkbox"/> Declaratory Judgment<br><input type="checkbox"/> Garnishment<br><input type="checkbox"/> Interpleader<br><input type="checkbox"/> License<br><input type="checkbox"/> Mandamus<br><input type="checkbox"/> Post-judgment   | <input type="checkbox"/> Prejudgment Remedy<br><input type="checkbox"/> Protective Order<br><input type="checkbox"/> Receiver<br><input type="checkbox"/> Sequestration<br><input type="checkbox"/> Temporary Restraining Order/Injunction<br><input type="checkbox"/> Turnover |  |   |  |  |
| <input type="checkbox"/> Appeal from Municipal or Justice Court<br><input type="checkbox"/> Arbitration-related<br><input type="checkbox"/> Attachment<br><input type="checkbox"/> Bill of Review<br><input type="checkbox"/> Certiorari<br><input type="checkbox"/> Class Action  | <input type="checkbox"/> Declaratory Judgment<br><input type="checkbox"/> Garnishment<br><input type="checkbox"/> Interpleader<br><input type="checkbox"/> License<br><input type="checkbox"/> Mandamus<br><input type="checkbox"/> Post-judgment   | <input type="checkbox"/> Prejudgment Remedy<br><input type="checkbox"/> Protective Order<br><input type="checkbox"/> Receiver<br><input type="checkbox"/> Sequestration<br><input type="checkbox"/> Temporary Restraining Order/Injunction<br><input type="checkbox"/> Turnover  |   |   |   |   |  |   |  |  |
| <b>4. Indicate damages sought (do not select if it is a family law case):</b><br><input type="checkbox"/> Less than \$100,000, including damages of any kind, penalties, costs, expenses, pre-judgment interest, and attorney fees<br><input type="checkbox"/> Less than \$100,000 and non-monetary relief<br><input type="checkbox"/> Over \$100,000 but not more than \$200,000<br><input type="checkbox"/> Over \$200,000 but not more than \$1,000,000<br><input checked="" type="checkbox"/> Over \$1,000,000   |   |  |   |   |   |   |  |   |  |  |

**Tab 4**

**LAW OFFICES OF JASON SMITH**

600 8<sup>th</sup> Ave.  
Fort Worth, TX 76104  
817-334-0880  
817-334-0898 fax  
letsgotocourt.com

American Board of Trial Advocates

Board Certified – Civil Appellate Law  
Texas Board of Legal Specialization

September 15, 2014

District Clerk  
Dallas County District Clerk's Office  
600 Commerce St.  
Dallas, Texas 75202

DC-14-10855

RE: *Craig Rush v. Jacobs Engineering Group, Inc. and  
Samuel Pena, Individually*

Dear Clerk:

Please issue a citation for service of Plaintiff's Original Petition and Request for Disclosure upon the following Defendants:

- 1) Defendant Jacobs Engineering Group, Inc.. may be served through its registered agent, CT Corporation System, 1999 Bryan Street, Suite 900, Dallas, Texas 75201-3136 **by Certified Mail Return Receipt Requested.**
- 2) Defendant Samuel Pena may be served at his place of residence, 1107 Danbury Drive, Mansfield, Texas 76063 **by personal service.**

Please email the citation for Samuel Pena to [susand@letsgotocourt.com](mailto:susand@letsgotocourt.com).

Thank you for your assistance in this matter.

Sincerely,

/s/ JASON C.N. SMITH  
JASON C.N. SMITH  
Email: [jasons@letsgotocourt.com](mailto:jasons@letsgotocourt.com)

JCNS/sed  
Encls.

**Tab 5**

**FORM NO. 353-3 - CITATION  
THE STATE OF TEXAS**

To:

JACOBS ENGINEERING GROUP INC  
SERVE ITS REGISTERED AGENT CT CORPORATION SYSTEM  
1999 BRYAN ST STE 900  
DALLAS TX 75201-3136

**GREETINGS:**

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. of the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Your answer should be addressed to the clerk of the **160th District Court** at 600 Commerce Street, Ste. 101, Dallas, Texas 75202.

Said Plaintiff being **CRAIG RUSH**

Filed in said Court **15th day of September, 2014** against

**JACOBS ENGINEERING GROUP INC AND SAMUEL PENA, INDIVIDUALLY**

For Suit, said suit being numbered **DC-14-10855**, the nature of which demand is as follows:  
Suit on **EMPLOYMENT** etc. as shown on said petition **REQUEST FOR DISCLOSURE**, a copy of which accompanies this citation. If this citation is not served, it shall be returned unexecuted.

WITNESS: GARY FITZSIMMONS, Clerk of the District Courts of Dallas, County Texas.  
Given under my hand and the Seal of said Court at office this 19th day of September, 2014.

ATTEST: GARY FITZSIMMONS, Clerk of the District Courts of Dallas, County, Texas

By AA, Deputy  
ANGELICA HERNANDEZ



CERT MAIL

**CITATION**

**DC-14-10855**

**CRAIG RUSH**

vs.

**JACOBS ENGINEERING GROUP  
INC, et al**

**ISSUED THIS**

**19th day of September, 2014**

**GARY FITZSIMMONS**  
Clerk District Courts,  
Dallas County, Texas

By: ANGELICA HERNANDEZ, Deputy

**Attorney for Plaintiff**

**JASON C N SMITH**  
LAW OFFICES OF JASON SMITH  
600 8TH AVENUE  
FORT WORTH TX 76104  
817-334-0880

**DALLAS COUNTY CONSTABLE**  
**FEEES**  
**PAID**  
**FEEES NOT**  
**PAID**



## OFFICER'S RETURN

Case No. : DC-14-10855

Court No. 160th District Court

Style: CRAIG RUSH

vs.

JACOBS ENGINEERING GROUP INC, et al

Came to hand on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M. Executed at \_\_\_\_\_  
within the County of \_\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_\_ M. on the \_\_\_\_\_ day of \_\_\_\_\_  
20\_\_\_\_, by delivering to the within named \_\_\_\_\_

each, in person, a true copy of this Citation together with the accompanying copy of this pleading, having first endorsed on same date of delivery. The distance actually traveled by  
me in serving such process was \_\_\_\_\_ miles and my fees are as follows: To certify which witness my hand.

|                      |          |       |                              |
|----------------------|----------|-------|------------------------------|
| For serving Citation | \$ _____ | _____ | _____                        |
| For mileage          | \$ _____ | _____ | _____ of _____ County, _____ |
| For Notary           | \$ _____ | _____ | _____ By _____ Deputy        |

(Must be verified if served outside the State of Texas.)

Signed and sworn to by the said \_\_\_\_\_ before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
to certify which witness my hand and seal of office.

\_\_\_\_\_  
Notary Public \_\_\_\_\_ County \_\_\_\_\_

## **Tab 6**

**FORM NO. 353-3 - CITATION  
THE STATE OF TEXAS**

To:

SAMUEL PENA  
1107 DANBURY DR  
MANSFIELD TX 76063

**GREETINGS:**

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. of the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Your answer should be addressed to the clerk of the **160th District Court** at 600 Commerce Street, Ste. 101, Dallas, Texas 75202.

Said Plaintiff being **CRAIG RUSH**

Filed in said Court **15th day of September, 2014** against

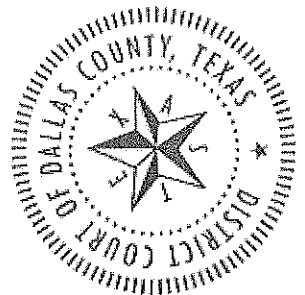
**JACOBS ENGINEERING GROUP INC AND SAMUEL PENA, INDIVIDUALLY**

For Suit, said suit being numbered **DC-14-10855**, the nature of which demand is as follows:  
Suit on **EMPLOYMENT** etc. as shown on said petition **REQUEST FOR DISCLOSURE**, a copy of which accompanies this citation. If this citation is not served, it shall be returned unexecuted.

WITNESS: GARY FITZSIMMONS, Clerk of the District Courts of Dallas, County Texas.  
Given under my hand and the Seal of said Court at office this 19th day of September, 2014.

ATTEST: GARY FITZSIMMONS, Clerk of the District Courts of Dallas, County, Texas

By /s/ Hernandez Angelica, Deputy  
ANGELICA HERNANDEZ



E-SERVE

**CITATION**

**DC-14-10855**

**CRAIG RUSH**

vs.

**JACOBS ENGINEERING GROUP  
INC, et al**

ISSUED THIS

**19th day of September, 2014**

GARY FITZSIMMONS  
Clerk District Courts,  
Dallas County, Texas

By: ANGELICA HERNANDEZ, Deputy

**Attorney for Plaintiff**  
JASON C N SMITH  
LAW OFFICES OF JASON SMITH  
600 8TH AVENUE  
FORT WORTH TX 76104  
817-334-0880

**DALLAS COUNTY  
SERVICE FEES  
NOT PAID**

## OFFICER'S RETURN

Case No. : DC-14-10855

Court No.160th District Court

Style: CRAIG RUSH

vs.

JACOBS ENGINEERING GROUP INC, et al

Came to hand on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M. Executed at \_\_\_\_\_  
within the County of \_\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_\_ M. on the \_\_\_\_\_ day of \_\_\_\_\_  
20\_\_\_\_, by delivering to the within named \_\_\_\_\_

each, in person, a true copy of this Citation together with the accompanying copy of this pleading, having first endorsed on same date of delivery. The distance actually traveled by  
me in serving such process was \_\_\_\_\_ miles and my fees are as follows: To certify which witness my hand.

|                      |          |                        |
|----------------------|----------|------------------------|
| For serving Citation | \$ _____ | _____                  |
| For mileage          | \$ _____ | of _____ County, _____ |
| For Notary           | \$ _____ | By _____ Deputy        |

(Must be verified if served outside the State of Texas.)

Signed and sworn to by the said \_\_\_\_\_ before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
to certify which witness my hand and seal of office.

\_\_\_\_\_  
Notary Public \_\_\_\_\_ County \_\_\_\_\_

**Tab 7**

OFFICER'S RETURN

Case No.: DC-14-10855

Court No. 160th District Court

Style: CRAIG RUSH

vs.

JACOBS ENGINEERING GROUP INC, et al

FILED  
2014 SEP 24 AM 8:21  
GARY FITZSIMMONS  
DEPUTY CLERK

Came to hand on the 19th day of Sept, 20 14, at 10:00 o'clock A. M. Executed at 1999 Bryan St. Ste 900  
within the County of Dallas, TX at 9:09 o'clock A. M. on the 23rd day of September,  
20 14, by delivering to the within named Jacobs Engineering Group, Inc by U.S. Certified Mail  
return receipt received and signed by

each, in person, a true copy of this Citation together with the accompanying copy of this pleading, having first endorsed on same date of delivery. The distance actually traveled by  
me in serving such process was \_\_\_\_\_ miles and my fees are as follows: To certify which witness my hand.

For serving Citation

\$65.00

For mileage

\$ \_\_\_\_\_

For Notary

\$ \_\_\_\_\_

Signed Christopher Wells

of \_\_\_\_\_ County, \_\_\_\_\_

By Atty Deputy

(Must be verified if served outside the State of Texas.)

Signed and sworn to by the said \_\_\_\_\_ before me this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_,  
to certify which witness my hand and seal of office.

Notary Public \_\_\_\_\_ County \_\_\_\_\_

GARY FITZSIMMONS  
DISTRICT CLERK  
600 COMMERCE STREET  
DALLAS, TEXAS 75202-4606

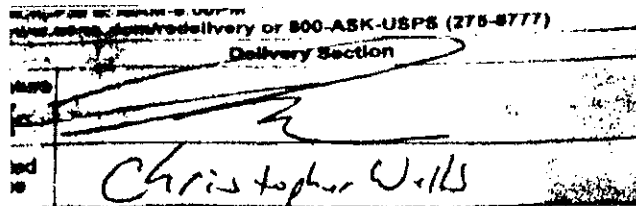


Date: September 23, 2014

MAIL MAIL:

The following is in response to your September 23, 2014 request for delivery information on your Certified Mail™/RRE item number 92148901066154000040130053. The delivery record shows that this item was delivered on September 23, 2014 at 9:09 am in DALLAS, TX 75201. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient :



Thank you for selecting the Postal Service for your mailing needs.

If you require additional assistance, please contact your local Post Office or postal representative.

Sincerely,  
United States Postal Service

The customer reference information shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

DC1410855 DPRO/AH  
JACOBS ENGINEERING GROUP INC  
SERVE ITS REGISTERED AGENT CT CORPORATION SYSTEM  
1999 BRYAN ST STE 900  
DALLAS TX 75201-3140

**FORM NO. 353-3 - CITATION  
THE STATE OF TEXAS**

To:

JACOBS ENGINEERING GROUP INC  
SERVE ITS REGISTERED AGENT CT CORPORATION SYSTEM  
1999 BRYAN ST STE 900  
DALLAS TX 75201-3136

**GREETINGS:**

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. of the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Your answer should be addressed to the clerk of the 160th District Court at 600 Commerce Street, Ste. 101, Dallas, Texas 75202.

Said Plaintiff being **CRAIG RUSH**

Filed in said Court 15th day of September, 2014 against

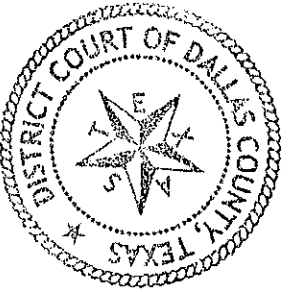
**JACOBS ENGINEERING GROUP INC AND SAMUEL PENA, INDIVIDUALLY**

For Suit, said suit being numbered DC-14-10855, the nature of which demand is as follows:  
Suit on **EMPLOYMENT** etc. as shown on said petition **REQUEST FOR DISCLOSURE**, a copy of which accompanies this citation. If this citation is not served, it shall be returned unexecuted.

**WITNESS:** GARY FITZSIMMONS, Clerk of the District Courts of Dallas, County Texas.  
Given under my hand and the Seal of said Court at office this 19th day of September, 2014.

**ATTEST:** GARY FITZSIMMONS, Clerk of the District Courts of Dallas, County, Texas

By ANGELICA HERNANDEZ, Deputy



CERT MAIL

**CITATION**

**DC-14-10855**

**CRAIG RUSH**

vs.

**JACOBS ENGINEERING GROUP  
INC, et al**

**ISSUED THIS**

**19th day of September, 2014**

**GARY FITZSIMMONS**  
Clerk District Courts,  
Dallas County, Texas

By: **ANGELICA HERNANDEZ**, Deputy

**Attorney for Plaintiff**  
**JASON C N SMITH**  
**LAW OFFICES OF JASON SMITH**  
**600 8TH AVENUE**  
**FORT WORTH TX 76104**  
**817-334-0880**

**DALLAS COUNTY CONSTABLE**

**FEES PAID**  
**FEES NOT PAID**



**Tab 8**

Dianne Coffey

**FORM NO. 353-3 - CITATION  
THE STATE OF TEXAS**

To:

**SAMUEL PENA  
1107 DANBURY DR  
MANSFIELD TX 76063****GREETINGS:**

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. of the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Your answer should be addressed to the clerk of the 160th District Court at 600 Commerce Street, Ste. 101, Dallas, Texas 75202.

Said Plaintiff being **CRAIG RUSH**

Filed in said Court 15th day of September, 2014 against

**JACOBS ENGINEERING GROUP INC AND SAMUEL PENA, INDIVIDUALLY**

For Suit, said suit being numbered **DC-14-10855**, the nature of which demand is as follows:  
Suit on **EMPLOYMENT** etc. as shown on said petition **REQUEST FOR DISCLOSURE**, a copy of which accompanies this citation. If this citation is not served, it shall be returned unexecuted.

**WITNESS: GARY FITZSIMMONS**, Clerk of the District Courts of Dallas County Texas.  
Given under my hand and the Seal of said Court at office this 19th day of September, 2014.

ATTEST: **GARY FITZSIMMONS**, Clerk of the District Courts of Dallas County, TexasBy ANGELICA HERNANDEZ, Deputy**E-SERVE****CITATION****DC-14-10855****CRAIG RUSH**

vs.

**JACOBS ENGINEERING GROUP  
INC, et al****ISSUED THIS****19th day of September, 2014****GARY FITZSIMMONS**  
Clerk District Courts,  
Dallas County, TexasBy: **ANGELICA HERNANDEZ**, Deputy**Attorney for Plaintiff**  
**JASON C N SMITH**  
**LAW OFFICES OF JASON SMITH**  
**600 8TH AVENUE**  
**FORT WORTH TX 76104**  
**817-334-0880**

OFFICER'S RETURN

Case No. : DC-14-10855

Court No. 160th District Court

Style: CRAIG RUSH

vs.

JACOBS ENGINEERING GROUP INC, et al

Came to hand on the 19<sup>th</sup> day of SEPTEMBER, 20 14, at 11:30 o'clock A. M. Executed at 1107 Danbury Dr.  
within the County of TARRANT at 7:23 o'clock P. M. on the 15<sup>th</sup> day of October,  
20 14, by delivering to the within named SAMUEL PEARL

each, in person, a true copy of this Citation together with the accompanying copy of this pleading, having first endorsed on same date of delivery. The distance actually traveled by me in serving such process was \_\_\_\_\_ miles and my fees are as follows: To certify which witness my hand

For serving Citation

\$ \_\_\_\_\_

For mileage

\$ \_\_\_\_\_

For Notary

\$ \_\_\_\_\_

(Must be verified if served outside the State of Texas.)

Signed and sworn to by the said \_\_\_\_\_ before me this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_,

to certify which witness my hand and seal of office.

Notary Public \_\_\_\_\_ County \_\_\_\_\_